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| 10/622,032 | 07/16/2003 | John E. Saare | 03226/509001; SUN030082 | 2251 |
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| OSHA LIANG I.L.P./SUN 1221 MCKINNEY, SUITE 2800 HOUSTON, TX 77010 | | | EXAMINER JAKOVAC, RYAN J | |
| | | | ART UNIT 2145 | PAPER NUMBER |
| | | | NOTIFICATION DATE 03/19/2008 | DELIVERY MODE ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/622,032

Applicant(s)

SAARE ET AL.

Examiner

RYAN J. JAKOVAC

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/EE-135)
Paper No(s)/Mail Date 07/22/2005, 07/22/2004

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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DETAILED ACTION

1. This action is responsive to communication filed on 07/16/2003. Claims 1-30 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 10-15, 20-25, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 2003/084165 to Kjellberg et al (hereinafter Kjellberg).

Regarding claims 1, 11, and 21, Kjellberg teaches a system and method comprising:

a portal server for presenting a user customizable page comprising information and a plurality of links (Kjellberg, paragraph [0030], Application presented as URL. Paragraph [0028], client accesses the server through HTML. See also paragraph [0006].) **for invoking**

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application functions (Kjellberg, fig. 1, provisioning server (portal server) provides applications to client devices.);

a plurality of applications (Kjellberg, paragraph [0025-0026], multiple applications);

a plurality of application helper modules respectively associated with said plurality of applications, each application helper module for determining an application link to an associated application, wherein said link is of said plurality of links and is provided to said portal server in response to a function requested by said portal server and wherein said function is requested of said application helper module (Fig. 1, channels, session manager, user profiles database. Paragraph [0028], Channels define protocols for application discovery and application downloading. User profiles database contains information used to present application menus based on device type.); and

a network framework for identifying a particular application helper module based on a determination of a device accessing said portal server (Kjellberg, paragraph [0025], requested applications are found in accordance with the different types of client devices.).

Regarding claims 2, 12, and 22, Kjellberg teaches a system and method as described in claims 1, 11, and 21 wherein **said particular application helper module is selected based on predetermined user interface capabilities of said device** (Kjellberg, paragraph [0028], Channels are used to carry HTML to web browsers, WML to WAP browsers, and SMS to SMS applications within mobile phones. Paragraph [0029], Application menus are presented based on device type.).

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Regarding claims 3, 13, and 23, Kjellberg teaches a system as described in claims 2, 12, and 22 wherein **said particular application helper module is associated with a particular application of said plurality of applications** (Kjellberg, paragraph [0028], Channels are used to carry HTML to web browsers, WML to WAP browsers, and SMS to SMS applications within mobile phones. Paragraph [0030], Application server provides applications.) and wherein further **said function requested by said portal server is to launch said particular application** (Kjellberg, paragraph [0030], The requested application is fetched from the application server and provided to the client device.)

Regarding claims 4, 14, and 24 Kjellberg teaches a system as described in claims 2, 12, and 22 wherein **said particular application helper module is associated with a particular application of said plurality of applications** (Kjellberg, paragraph [0028], Channels are used to carry HTML to web browsers, WML to WAP browsers, and SMS to SMS applications within mobile phones. Paragraph [0030], Application server provides applications.) and wherein further **said function requested by said portal server is to display information contained in a database record of said particular application** (Kjellberg, paragraph [0029], application menus are presented from the user profiles database based on device type.).

Regarding claims 5, 15, and 25 Kjellberg teaches a system and method as described in claims 2, 12, and 22 wherein **said particular application helper module is associated with a**

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particular application of said plurality of applications (Kjellberg, paragraph [0028], Channels are used to carry HTML to web browsers, WML to WAP browsers, and SMS to SMS applications within mobile phones. Paragraph [0030], Application server provides applications.) and wherein further **said function requested by said portal server is to modify preferences associated with said particular application** (Kjellberg, paragraph [0029], users specify preferences which are maintained in the user profiles database.).

Regarding claims 10, 20, and 30 Kjellberg teaches a system and method as described in claims 1, 11, and 21 wherein **said particular application helper module is associated with a class of devices having substantially similar user interface capabilities** (Kjellberg, Fig. 1, Client devices including PDAs, desktop computers, mobile phones and laptops.).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 7-9, 17-19, and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kjellberg in view of U.S. 2003/0120784 to Johnson et al (hereinafter Johnson).

Regarding claims 7, 17, and 27 Kjellberg teaches a system and method as described in claims 2, 12, and 22. Kjellberg does not expressly disclose wherein said particular application is an electronic mail application.

However, Johnson discloses wherein **said particular application is an electronic mail application** (Johnson, paragraph [0023], Typical personal data management applications include email applications, contacts applications, schedule or calendar applications, and file access applications.).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to combine wherein said particular application is an electronic mail application as taught by Johnson with the system and method of Kjellberg in order to provide the functionality of data management applications to the user device (Johnson, paragraph [0023]).

Regarding claims 8, 18, and 28 Kjellberg teaches a system and method as described in claims 2, 12, and 22. Kjellberg does not expressly disclose wherein said particular application is an electronic calendar application.

However, Johnson discloses wherein **said particular application is an electronic calendar application** (Johnson, paragraph [0023], Typical personal data management

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applications include email applications, contacts applications, schedule or calendar applications, and file access applications.).

Regarding claim 9, 19, and 29 Kjellberg teaches a system and method as described in claims 2, 12, and 22. Kjellberg does not expressly disclose wherein said particular application is an electronic address book application.

However, Johnson discloses wherein **said particular application is an electronic address book application** (Johnson, paragraph [0023], Typical personal data management applications include email applications, contacts applications, schedule or calendar applications, and file access applications.).

6. Claims 6, 16, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kjellberg in view of U.S. 2003/0022657 to Herschberg et al (hereinafter Herschberg).

Regarding claims 6, 16, and 26, Kjellberg teaches a system and method as described in claims 5, 15, and 25. Kjellberg does not expressly disclose wherein said link provided by said particular application helper module is null provided said particular application helper module restricts preference modification of said particular application.

However Herschberg discloses wherein **said link provided by said particular application helper module is null provided said particular application helper module restricts preference modification of said particular application** (Herschberg, paragraph

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[0116], Status information displayed to the user is designated as disabled based on status modification (i.e. restriction of preference modification).).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to combine wherein said link provided by said particular application helper module is null provided said particular application helper module restricts preference modification of said particular application as taught by Herschberg with the system and method of Kjellberg in order to modify access rights for a user (Herschberg, paragraph [0116]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN J. JAKOVAC whose telephone number is (571)270-5003. The examiner can normally be reached on Monday through Friday, 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RJ

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145